FARAD CONTINUATION SHEET NO.:

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE

APPEAL FROM ORDER (ST) NO.11605 OF 2007

Office Notes, Office Memoranda of coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Mr M.P.Mishra, for the appellants.
Mr K.S.patil, for the respondent.

CORAM : D.B.BHOSALE,J.
DATED : 22nd November, 2007

P.C.:

Heard learned counsel for the parties.

By consent, this Appeal from order is heard for admission. In the appeal the appellants have impugned an order dated 28.11.2006. The order reads thus :

"Defts are directed to file reply to N/M as the matter was already heard by the court at the time of ad.interim injunction, however, the original N/M is misplaced, therefore, the draft N/M is taken out, which cannot be called a fresh N/M but this N/M is replaced by the original N/M, therefore, at this stage no question of ad.interim. After filing reply by deft the matter will be heard on merits. Adjourned to 20.12.2006 for reply to N/M."

Mr.Mishra, learned counsel for the

appellants, submits that the appellants would be satisfied if directions are given to the trial court to dispose of the notice of motion which is pending since last one year. It is not clear whether the defendants have filed reply to the motion. In view thereof, the defendants are directed to file reply within eight weeks from today failing which the learned Judge shall proceed to decide the motion in the absence of their reply.

With these observations, the appeal from order stands disposed of.

(D.B.BHOSALE,J.)